

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

OLD WHITE CHARITIES, INC.,

Plaintiff,

Civil Action No. 5:17-cv-01375

v.

BANKERS INSURANCE, LLC,

Defendant.

**PLAINTIFF OLD WHITE CHARITIES' MOTION
FOR PARTIAL SUMMARY JUDGMENT ON LIABILITY**

For the reasons explained in the Memorandum in Support of this Motion for Partial Summary Judgment on Liability, Plaintiff Old White Charities, Inc. ("Old White"), hereby moves the Court to enter a partial summary judgment in Old White's favor and against Defendant Bankers Insurance, LLC ("Bankers"), finding that Bankers breached its duties to Old White by negligently failing to procure the insurance coverage that Old White sought for the Hole-in-One competition at the 2015 Greenbrier Classic.

Old White also moves the Court to enter a partial summary judgment that Bankers' total and reckless failure to review the insurance binder for the policies Old White sought to cover the Hole-in-One competition at the 2015 Greenbrier Class Golf Tournament and failure to advise Old White in a timely fashion that, because of the minimum-distance requirement Underwriters were seeking, the policies did not comport with the coverage Old White instructed Bankers to

purchase (failures that allowed the Hole-in-One competition to proceed uninsured) amounted to gross negligence.

Dated: February 26, 2018

OLD WHITE CHARITIES, INC.,

a West Virginia corporation

By Counsel

/s/ David F. Nelson, Sr.

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CERTIFICATE OF SERVICE

I, David F. Nelson, Sr. hereby certify that, on February 2, 2018, I served Plaintiff's Motion for Partial Summary Judgment on Liability via ECF upon counsel for Defendant Bankers Insurance, LLC and Third-Party Defendant All Risks, Ltd. at the following addresses:

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